

No. 20,897 Equity
In the Circuit Court
for Frederick County
Maryland

HOWARD SAMUEL DAVIS and
MINNIE DAVIS, his wife, Doubt,
Maryland;

PATRULINE DAVIS SHEETS, widow,
319 South Jefferson Street,
Frederick, Maryland.

Complaints

VS.

MARY E. DAVIS, widow, Doubt,
Maryland; EVELYN DAVIS OTT
and WILBERT W. OTT, her hus-
band, Doubt, Maryland; HELEN
LAURA DAVIS, unmarried, Doubt,
Maryland; CARL S. DAVIS and
SHIRLEY A. DAVIS, her wife,
Doubt; MARY JANE
BARTLETT and EDGAR E.
LETT, her husband, Doubt,
Maryland; RAYMOND A. DAVIS
and MARGARET DAVIS, Mary-
land; R. HUME DAVIS and
GOLDIE DAVIS, Mary-
land; RICHARD
STOTLER, unmarried, 1914 Vir-
ginia Avenue, Hagerstown, Mary-
land; ELMER DAVIS LOY (also
known as ELMER S. DAVIS), wi-
dower, 900 Young Place, Frederick,
Maryland; MARIE (DAVIS) STOT-
LER ROGERS and ALVIN F.
ROGERS, her husband, 1914 Vir-
ginia Avenue, Hagerstown, Mary-
land;

and
BERTHA FLOYD DAVIS, widow,
Fairmont, North Carolina;
FRANK T. EARHART and EDITH
EARHART, his wife, Route # 2,
Lisick, Pennsylvania; ETHEL
SHEESLEY and FRED SHEES-
LEY, her husband, Box 63, Eliz-
abethton, Tennessee; ANNA MAE
MYER and WILLIAM MYER, her
husband, Myerstown, Pennsylva-
nia; JAY T. EARHART and SARAH
EARHART, his wife, Box 246,
North Port Myers, Florida; LEO
EARHART and ELVA EARHART
his wife, Box 43, Paradise, Pennsyl-
vania; RUTH WOLGEMUTH and
EDGAR WOLGEMUTH, her hus-
band, Route # 1, Peach Bottom,
Pennsylvania; DOROTHY T. KULP
and STANLEY KULP, her hus-
band, 6270 Main Street, East Pitt-
sburg, Pennsylvania; LUTHER
T. EARHART, unmarried, 717 Cen-
terville Road, Lancaster, Pennsyl-
vania; ERMA JURY and
FLOYD JURY, her husband, 2730
Harrisburg Pike, Lancaster,
Pennsylvania; RICHARD T. EAR-
HART, divorced, Coopers Trailer
Park, 55 Summer Street, Salunga,
Pennsylvania; THELMA SHAUB
and JAMES SHAUB, her husband
34 South Great Street, Manheim,
Pennsylvania; JEAN WINTERS
and MARK WINTERS, her hus-
band, 61 South Hazel Street, Man-
heim, Pennsylvania; and all of
the heirs, known and unknown, of
Minnie C. Earhart and Abraham
Earhart (both deceased).

Respondents

Order of Publication

The object of this suit is to pro-
cure a decree for the sale of the
real estate of the late Minnie C.
Earhart, deceased.

The Bill recites in substance that
your Complainants and the respon-
dents in these proceedings are
adults, sui juris, and that the fol-
lowing parties are residents of the
State of Maryland: Howard Samu-
el Davis and Minnie Davis, his
wife, Doubt, Maryland; Patruline
Davis Sheets, widow, 319 South Je-
fferson Street, Frederick, Maryland;
Mary E. Davis, widow; Evelyn Da-
vis Ott and Wilbert W. Ott, her
husband; Helen Laura Davis
unmarried; Carl S. Davis and Shirley
A. Davis, his wife, Mary Jane
Bartlett and Edgar E. Bartlett, her
husband; Raymond A. Davis and
Margaret Davis, his wife; R. Hume
Davis and Goldie Davis, his wife,
all of Doubt, Frederick County,
Maryland; Richard Stotler, unmar-
ried, 1914 Virginia Avenue, Hager-
town, Maryland; Elmer Davis Loy
(also known as Elmer S. Davis), wi-
dower, 900 Young Place, Frederick,
Maryland; Marie Stotler Rogers
and Alvin F. Rogers, her hus-

bond, 1914 Virginia Avenue, Hager-
town, Maryland.

That the following parties are

residents of the State of Pennsyl-
vania, residing at the addresses in-
dicated: Bertha Davis Floyd, wi-
dow, Fairmont, North Carolina;
Frank T. Earhart and Edith Ear-
hart, his wife, Route # 2, Litis,
Pennsylvania; Ethel Sheesley and
Fred Sheesley, her husband, Box
53, Ellendale, Tennessee; Anna Mae
Myer and William Myer, her hu-
sband, Route # 1, Myerstown, Pennsyl-
vania; Jay T. Earhart and Sarah
Earhart, his wife, Box 246,
North Port Myers, Florida; Leo
Earhart and Elva Earhart, his
wife, Box 43, Paradise, Pennsyl-
vania; Ruth Wolgemuth and Edgar
Wolgemuth, her husband, Route
1, Peach Bottom, Pennsylvania;
Dorothy T. Kulp and Stanley Kulp,
her husband, 6270 Main Street, East
Petersburg, Pennsylvania; Luther
T. Earhart, unmarried, 717 Center-
ville Road, Lancaster, Pennsylvania;
Pauline Bigler and John Bigler,
her husband, 34 East Main Street,
Lindenville, Pennsylvania; Erma
Jury and Floyd Jury, her husband,
2730 Harrisburg Pike, Lancaster,
Pennsylvania; Richard T. Earhart,
divorced, Coopers Trailer Park, 55
Summer Street, Salunga, Pennsyl-
vania; Thelma Shaub and James
Shaub, her husband, 34 South Great
Street, Manheim, Pennsylvania;
and Jean Winters and Mark Wint-
ers, her husband, 61 South Hazel
Street, Manheim, Pennsylvania.

That Minnie C. Earhart, late of
Frederick County, Maryland, de-
ceased, was at the time of her
death, on or about the 30th day of
September 1963, seized and pos-
sessed of a tract or parcel of land,
with the improvements thereon,
situate, lying and being in the
Buckeystown Election District, No.
1, Frederick County, Maryland; and
more particularly described in a
deed from Albert W. Water, wi-
dower, to Minnie C. Fry Earhart,
dated the 2nd day of June, 1860,
and recorded in Liber 484, Folio
497&c., one of the Land Records
of Frederick County, Maryland, a
copy of which is filed herewith and
prayed to be taken as a part here-
of and marked Exhibit "A"; SAV-
ING AND EXCEPTING THERE-
OUT AND THEREFROM, THE
FOLLOWING: (1) Deed dated the
30th day of August, 1961, from
Minnie C. Fry Earhart and Abram
B. Earhart, her husband, unto Wil-
liam A. Baker and Catherine W.
Baker, his wife, and recorded in
Liber 498, Folio 455&c., one of the
Land Records of Frederick County,
Maryland; (2) Deed dated the 2nd
day of November, 1961, from Minnie C.
Fry Earhart and Abram B. Earhart,
her husband, unto William A.
Baker and Catherine W. Baker,
his wife, and recorded in Liber 498,
Folio 455&c., one of the Land
Records of Frederick County,
Maryland; (3) Deed dated the 22nd day
of September, 1963, from Minnie C.
Fry Earhart and Abram B. Earhart,
her husband, unto Bernard
Aldus Kulp, Sr. and Evelyn W.
Kulp, his wife, and recorded in Li-
ber 502, Folio 187&c., one of the
Land Records of Frederick County,
Maryland; all of which are
hereby attached and prayed to be
taken as a part hereof and marked
respectively exhibits "B", "C" and
"D".

That being so seized and possessed
of said tract or parcel of land,
the said Minnie C. Fry Earhart,
died testate in Frederick County,
Maryland, on or about the 30th day
of September 1963, as aforesaid.
Her Will being probated and ad-
mitted to record in Liber T.M.E.
No. 3, Folio 24, one of the Will Rec-
ords of Frederick County, Mary-
land, a Certified Copy of which Will
is filed herewith and prayed to be
taken as a part and marked Exhibit
"B".

That the said last Will and Test-
ament provided in part as follows:
Item 4. "Of the rest and residue of
my property and estate, I give, de-
vise and bequeath one-third to my
husband, Abraham Earhart." Item
5. "Of the remaining two-thirds of
said rest and residue of my estate
I direct that same be divided into
eight equal parts, and I give, de-

Liber

24

Page

748

No. 20,897 Equity - Exhibit
The Blade-Times - Brunswick, Md.

TO WHOM IT MAY CONCERN—

This is to certify that the annexed No. 20,897
Equity in the Circuit Court for
Frederick County, Maryland
was published in The Blade-Times, a weekly news-
paper published in Brunswick, Frederick County,
Maryland, once each week for four successive
weeks, prior to April the 10th
day of April, 1965.

THE BLADE-TIMES

By James L. Bryant, Mgr.
Filed May 18, 1965 Filed

printed to sell and publish the
proceeds of sale may be apportioned
among the said parties entitled
thereto, after deducting first the
usual costs and expenses of sale,
according to their rights and interests.

The Bill further prays unto your
Honors to grant unto the Complainants
an Order of Publication di-
rected to the non-residents Repon-
dents, namely: Bertha Davis Floyd,
widow, Fairmont, North Carolina;
Frank T. Earhart and Edith Ear-
hart, his wife, Route # 2, Litis,
Pennsylvania; Ethel Sheesley and
Fred Sheesley, her husband, Box
53, Ellendale, Tennessee; Anna Mae
Myer and William Myer, her hus-
band, Route # 1, Myerstown, Pennsyl-
vania; Jay T. Earhart and Sarah
Earhart, his wife, Box 246,
North Port Myers, Florida; Leo
Earhart and Elva Earhart, his wife,
Box 43, Paradise, Pennsylvania;
Ruth Wolgemuth and Edgar Wolge-
muth, her husband, Route # 1,
Peach Bottom, Pennsylvania; Dor-
othy T. Kulp and Stanley Kulp, her
husband, 6270 Main Street, East
Petersburg, Pennsylvania; Luther
T. Earhart, unmarried, 717 Center-
ville Road, Lancaster, Pennsylvania;
Pauline Bigler and John Bigler,
her husband, 34 East Main Street,
Lindenville, Pennsylvania; Erma
Jury and Floyd Jury, her husband,
2730 Harrisburg Pike, Lancaster,
Pennsylvania; Richard

That the said Carl J. Davis, de-
parted this life on or about the
27th day of October, 1964, inter-
state, survived by Mary E. Davis,
his widow; a daughter, Evelyn Da-
vis Ott, whose husband's name is
Wilbert W. Ott; a daughter, Helen
Laura Davis, unmarried; a son,
Carl S. Davis, whose wife's name
is Shirley A. Davis; and a daughter,
Mary Jane Bartlett, whose hus-
band's name is Miner E. Bartlett.

That Abraham (Abe) Breckin
Earhart, departed this life, inter-
state, on or about the 20th day of
August, 1965, survived by: a son,
Frank T. Earhart, whose wife's name
is Edith Earhart; a daughter,
Ethel Sheesley, whose hus-
band's name is Fred Sheesley; a
daughter, Anna Mae Myer, whose
husband's name is William Myer;
a son, Jay T. Earhart, whose wife's
name is Sarah Earhart; a son, Leo
Earhart, whose wife's name is Elva
Earhart; a daughter, Ruth Wolge-
muth, whose husband's name is Ed-
gar Wolgemuth; a daughter, Doro-
thy T. Kulp, whose husband's name
is Stanley Kulp; a son, Luther T.
Earhart, unmarried; a daughter,
Pauline Bigler, whose husband's
name is John Bigler; a daughter,
Erma Jury, whose husband's name
is Floyd Jury; a son, Richard T.
Earhart, divorced; a daughter,
Thelma Shaub, whose husband's
name is James Shaub; and a
daughter, Jean Winters, whose hus-
band's name is Mark Winters.

That the devise by the said Min-
nie C. Earhart, unto her husband,
Abraham Earhart, did not lapse by
reason of his predeceasing the said
Minnie C. Earhart, but did by oper-
ation of law, descend to and vest
in the heirs at law and next of kin
of Abraham Earhart, enumerated
just above.

That your Complainants respect-
fully represent unto your Honorable
Court that the land and improve-
ments thereon, herein described,
is not susceptible of division in
kind between the parties entitled
thereto according to their respec-
tive interests without great loss and
damage, and that it would be to the
best interest and advantage to the
said parties that the land be sold
under an Order of your Honorable
Court, and after payment of the
usual Court costs and expenses, the
proceeds therefrom be distributed
between the said parties according
to their respective interests.

The Bill prays that a Decree may
be passed for the sale of said real
estate by the Court and that a
Trustee or Trustees may be ap-
pointed to sell the same and to
divide the proceeds of sale among
the said parties entitled thereto
according to their rights and inter-
ests.

T. Earhart, divorced, Coopers
Trailer Park, 55 Summer Street,
Salunga, Pennsylvania; Thelma
Shaib and James Shaib, her hus-
band, 34 South Great Street, Man-
heim, Pennsylvania; and Jean Wint-
ers and Mark Winters, her hus-
band, 61 South Hazel Street, Man-
heim, Pennsylvania; and all of the
heirs, known and unknown, of Minnie
C. Earhart and Abraham Earhart
(both deceased).

It is therefore, ORDERED, this
18th day of March, 1965, by the Cir-
cuit Court for Frederick County,
Maryland, sitting as a Court of
Equity, that the Complainants by
causing a copy of this Order to be
published in some newspaper, pub-
lished in Frederick County, Mary-
land, once a week for four (4) suc-
cessive weeks, before the 10th day
of April, 1965, give notice to the
about non-resident Respondents of
the object and substance of this
Bill, warning them to be and ap-
pear in this Court, in person or by
Solicitor, on or before the 11th day
of May, 1965, to show cause, if any
they may have, why a Decree
should not be passed as prayed.

ELIJAH C. WACHTER,
Clerk of the Circuit Court
for Frederick County,
Maryland

WILLIAM F. SHEPPIELD, JR.
STEWART BOBBY BROWN,
Solicitors for Complainants
Filed March 4, 1965

True Copy Test
ELIJAH C. WACHTER,
Clerk

3-11-4c